

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**TINNUS ENTERPRISES, LLC,**

**Plaintiff,**

**v.**

**WAL-MART STORES INC., et al.,**

**Defendants.**

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**No. 6:16-cv-0034 RWS-JDL**

**JURY DEMANDED**

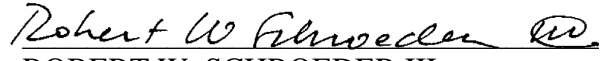
**ORDER ADOPTING SEALED REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

On June 16, 2016, United States Magistrate Judge John D. Love issued a Report and Recommendation, recommending that Defendants' Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(7) be **GRANTED-IN-PART** (Doc. No. 28). (Doc. No. 71.) Specifically, the Magistrate Judge recommended that ZURU Ltd. ("ZURU") be joined as a plaintiff in this action as a necessary party pursuant to Federal Rule of Civil Procedure 19(a). (Doc. No. 71, at 5.) The Magistrate Judge further found that with the proper joinder of ZURU in this case, dismissal of the claims is not warranted. (Doc. No. 71, at 6.) At a hearing on June 17, 2016, the Magistrate Judge ordered ZURU to be joined as an involuntary plaintiff in this action. (Doc. No. 74.) No objections to the Report and Recommendation were filed during the prescribed objection period.

The Court, having reviewed the Magistrate Judge's findings and conclusions, is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly **ORDERED** that Defendants' Motion (Doc. No. 28)

is **GRANTED-IN-PART**. Because ZURU has now been joined to this action, dismissal of the claims is not warranted.

**SIGNED this 20th day of July, 2016.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE